



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/834,618 | 04/16/2001 | Toru Abe | 24593 | 3896 |

7590 08/24/2004

NATH & ASSOCIATES
Sixth Floor
1030 Fifteenth Street, N.W.
Washington, DC 20005

[REDACTED] EXAMINER

CHANG, SUNRAY

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

2121

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/834,618 | ABE ET AL. | |
| | Examiner | Art Unit | |
| | Sunray Chang | 2121 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 April 2001.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 16 April 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. Claims 1 – 8 are presented for examination.

Claims 1 – 8 are rejected.

Claim Objections

2. Claims 1 – 8 are objected to because of the following informalities: The terms, “WWW browser” and “WWW server”, should be changed to “internet browser” and “internet server”. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

Regarding independent claim 1, applicants disclose "WWW server" in line 17 of claim 1.

There is insufficient antecedent basis for this limitation in the claim. The “WWW server”, in Line 17 of claim 1, is not previously cited.

Claim Interpretation

4. The term “WWW server” in Line 17, claim 1 has not been previous cited. According to Claims 2 – 8, the term “WWW server” should be interpreted as “web server”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1 – 8 are rejected** under 35 U.S.C. 102(e) as being anticipated by Richard L. Bulman (U.S. Pub. No. US 2003/0051255 and referred to as Bulman hereinafter).

6. **Regarding independent claim 1,**

Bulman teaches those features, applicants disclose, are listed here:

- A remote digital data effect processing method [method] for use on a network [internet web server] for adding an effect to the remote digital data [generating a personalized presentation] via the network [Abstract, Line 1 – 5].
- An effect server [centralized database, 0023, Line 8] is connected to the network via a web server [remote access, 0023, Line 7].
- The effect server [centralized database, 0023, Line 8] includes, a processing program [provides a range of solutions, 0029, Line 4] for adding the effect to the remote data [customization of media streams, 0029, Line 5];

- A calling program running in a WWW browser [internet browser user interface, Abstract, Line 2] for calling the processing program [selecting, Abstract, Line 3]; effect data pieces for each effect processing types [image and surrounding context, Abstract, Line 3].
- Sending the calling program to WWW browser in user terminal [providing an internet browser user interface, Abstract, Line 2].
- Calling program starts the processing program [providing an internet browser user interface for selecting an image and a surrounding context, Abstract, Line 2 – 3].
- Processing program downloads the selected effect data piece to user terminal [receiving the selected image and surrounding context, Abstract, Line 3 – 4].
- Processing program [Apply modification to object based on parameter, Fig. 19] add the selected effect data to the digital data [generating a personalized presentation, Abstract, Line 1] on user terminal [to the user, Abstract, Line 7].

7. **Regarding independent claims 2 – 8,** Applicants disclose features in, a system, a server, a terminal, a medium, have been disclosed in **Bulman** as described in previous paragraph 6, the rejection to independent claim 1.

Further explanation, features of independent claims 2 – 8, for example, processing program and calling program downloaded from the web server, effect data pieces of web server are called through internet by processing program, WWW browser in user terminal used for interface of the calling program, adding effect to the digital data in user terminal side, are all disclosed in independent claim 1 and are all rejected as described in previous paragraph 6, the rejection to independent claim 1.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Smith et al. (U.S. Patent No. 6,067,582) discloses distributing software application, downloading and installing from content server, remote computer, server module, agent module would be actualable by the remote computer. Seto et al. (U.S. Pub. No. 2002/0029242) discloses give a laboratory a command to start editing, transfer template data to PC, editing image, editing information in laboratory side, image server. Eisendrath et al. (U.S. Patent No. 6,347,333) discloses interactive work plans and administrative resources presented on line through a web interface. Crawford (U.S. Patent No. 6,014,651) discloses online service provider computer.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunray Chang whose telephone number is 703-305-8744. The examiner can normally be reached on M-F 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (703)308-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-3506.

Sunray Chang
Patent Examiner

Conclusion

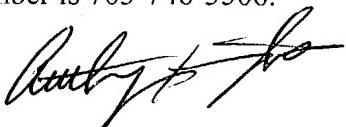
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Smith et al. (U.S. Patent No. 6,067,582) discloses distributing software application, downloading and installing from content server, remote computer, server module, agent module would be actuatable by the remote computer. Seto et al. (U.S. Pub. No. 2002/0029242) discloses give a laboratory a command to start editing, transfer template data to PC, editing image, editing information in laboratory side, image server. Eisendrath et al. (U.S. Patent No. 6,347,333) discloses interactive work plans and administrative resources presented on line through a web interface. Crawford (U.S. Patent No. 6,014,651) discloses online service provider computer.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunray Chang whose telephone number is 703-305-8744. The examiner can normally be reached on M-F 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (703)308-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-3506.

Sunray Chang
Patent Examiner
Group Art Unit 2121
Technology Center 2100
U.S. Patent and Trademark Office



Anthony Knight
Supervisory Patent Examiner
Group 3600

August 17, 2004